

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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DONALD C. HUTCHINS

Plaintiff

v.

CARDIAC SCIENCE, INC., et. al.,

Defendants

Civil Action: 04-30126-MAP

DOCKETED

**PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION TO STRIKE  
STATEMENTS OF ATTORNEY COLLEEN MORAN O'NEIL**

The Plaintiff, Donald C. Hutchins ("Hutchins") files this Memorandum in support of his Motion for this Court to strike the statements of Attorney Colleen Moran O'Neil made in Motion Hearing of January 4, 2006 and disregard arguments embodied in these statements.

**I. SUMMARY OF POSITION**

Attorney O'Neil is employed by the firm of Calfee, Halter and Griswold LLP. The [36] MOTION to deny attorneys employed by the firm of Calfee, Halter and Griswold slated to be heard during the Hearing of January 4, was not heard. Charges of conflict in interest prejudicial to Hutchins are included as grounds for the [36] MOTION. These conflicts of interest tainted the presentation at the January 4<sup>th</sup> Hearing. For example Attorney O'Neil would not admit that as a stockholder of the Compliant Corporation, her firm, Calfee, Halter & Griswold suffered a financial loss when Hutchins filed the TRO against Cardiac Science. As one of the many misrepresentations, Attorney O'Neil also failed to disclose that the CPR Prompt® product line is registered as the property of the Compliant Corporation by the official record of the Secretary State of Ohio. This CPR Prompt product line registration showing that Steven Lindseth is the President and Calfee, Halter & Griswold LLP is Compliant's agent is attached as Exhibit A.

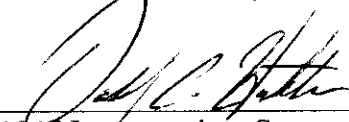
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## II. CONCLUSION

Donald C. Hutchins ("Hutchins") hereby respectfully moves this Court to strike the statements of Attorney Colleen Moran O'Neil made in Motion Hearing of January 4, 2006 and disregard arguments and misrepresentations embodied in these statements.

The Plaintiff

Donald C. Hutchins, Pro Se

  
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1047 Longmeadow Street  
Longmeadow, Massachusetts 01106  
(413) 567-0606

Dated: January 9, 2006

### CERTIFICATE OF SERVICE

I, Donald C. Hutchins, 1047 Longmeadow, Massachusetts 01106, hereby certify that I served a copy of the foregoing on the appropriate parties by sending a copy by United States mail to: Randall T. Skaar, Esq. Patterson, Thunte, Skaar & Christensen, P.A., 4800 IDS Center, 80 South 8<sup>th</sup> St. Minneapolis, Minnesota; 55402, Paul H. Rothschild, Esq. Bacon & Wilson, P.C., 33 State St., Springfield, MA 01103; John J. Egan Esq., Egan, Flanagan and Cohen, P.C., 67 Market St., Springfield, MA 01102-9035

Dated: 1/9/06

  
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Donald C. Hutchins